

REMARKS

Claims 38, 41-45, 47-57, 59-61, 63-71 and 73-76 are pending in the application. Claims 1-37, 39, 40, 46, 58, 62 and 72 were previously cancelled.

Applicant acknowledges with appreciation the Examiner's finding that claims 53-56 and 66-69 would be allowable if rewritten in independent form so that they are no longer dependent on a rejected base claim.

Claims 57, 60 and 61 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 57, 60 and 61 are amended to overcome the rejection.

Claims 38, 41-44, 47, 50, 52, 70 and 76 are rejected under 35 U.S.C. § 103(a) as unpatentable over US patent No. 4,095,277 to Bluethman et al., hereinafter "Bluethman", in view of US patent no. 5,659,801 to Kopsaftis, hereinafter "Kopsaftis", in view of "QMS 2060 EX, 2425 Turbo EX" by Tom, hereinafter "Tom", and further in view of "Postscript – Answers to Questions" by Braunschdorf, hereinafter Braunschdorf. Claims 38 and 70 are independent. Claims 41-44, 47, 50, 52 and 76 depend from claim 38. Applicant respectfully traverses the rejection.

Braunschdorf discloses "PostScript" (PS), a page description programming language, and also discloses "Encapsulated Postscript" (EPS) for importing and exporting PS language files (pp. 6-7). An EPS file is usually a single page PS file for describing an illustration, and may also include a preview image (p. 7). A variation of EPS includes the preview image a PS text in a binary file that contains a header and the preview image (p. 7). The header defines where in each file each PS or image section starts or ends (p. 7).

The Office Action admits that Bluethman does not disclose a print job file comprising a header portion and a separate file data portion, wherein the presence of a

microcode module in the print job is indicated by a bit pattern in the file header portion of the print job file.

The Office Action, on page 5, contends that Braunsdorf "teaches that a header can be used to describe a data portion of a print file." Applicant respectfully disagrees.

Although Braunsdorf discloses a header in a file, the header is simply a generic header providing information as to text and image sections of the file. Reference to a header in Braunsdorf generally discloses the header to describe the contents of the file. This disclosure is consistent with general principles of headers, and does not provide any additional teaching regarding the types of data located in a header. Specifically, **Braunsdorf does not disclose that microcode for a print file could be included in a header.** The text and image sections located in the file of Braunsdorf do not disclose or suggest microcode for a print file. Therefore, Braunsdorf does not disclose or suggest "wherein said print job file further comprises a single file header portion and a separate file data portion, and wherein presence of a microcode module in said print job file is indicated by a bit pattern in said file header portion of said print job file," as recited in claim 38.

Thus, Bluethman, Kopsaftis, Tom and Braunsdorf, whether considered alone or in combination, do not disclose or suggest "wherein said print job file further comprises a single file header portion and a separate file data portion, and wherein presence of a microcode module in said print job file is indicated by a bit pattern in said file header portion of said print job file," as recited in claim 38. Therefore, claim 38 is patentable over the cited combination of Bluethman, Kopsaftis, Tom and Braunsdorf.

Claim 70 includes recitals similar to claim 38. Claims 41-44, 47, 50, 52 and 76 depend from claim 38. For at least reasoning similar to that provided in support of the patentability of claim 38, claims 41-44, 47, 50, 52, 70 and 76 are patentable over the cited combination of Bluethman, Kopsaftis, Tom and Braunsdorf.

For the reasons set forth above, it is submitted that the rejection of claims 38, 41-44, 47, 50, 52, 70 and 76 under 35 U.S.C. § 103(a) as unpatentable over Bluethman in view of Kopsaftis, Tom and Braunsdorf is overcome. Applicant respectfully requests that the rejection of claims 38, 41-44, 47, 50, 52, 70 and 76 be reconsidered and withdrawn.

Claim 45 is rejected under 35 U.S.C. § 103(a) as unpatentable over Bluethman, Kopsaftis, Tom and Braunsdorf, and further in view of U.S. Patent No. 5,206,735 to Gauronski et al., hereinafter Gauranski. Claim 45 depends from claim 38. Applicant respectfully traverses the rejection.

As discussed above, claim 38 is patentable over the cited combination of Bluethman, Kopsaftis, Tom and Braunsdorf. Applicant does not believe that Gauronski makes up for the deficiencies of Bluethman, Kopsaftis, Tom and Braunsdorf, as they apply to claim 38. Accordingly, Applicant submits that claim 38 is patentable over the cited combination of Bluethman, Kopsaftis, Tom, Braunsdorf and Gauronski.

Claim 45 depends from claim 38. For at least reasoning similar to that provided in support of the patentability of claim 38, claim 45 is patentable over the cited combination of Bluethman, Kopsaftis, Tom, Braunsdorf and Gauronski. Therefore, it is submitted that the rejection of claim 45 as unpatentable over Bluethman, Kopsaftis, Tom and Braunsdorf in view of Gauronski is overcome. Applicant respectfully requests that the rejection of claim 45 be reconsidered and withdrawn.

Claims 48, 49, 71, 73 and 74 are rejected under 35 U.S.C. § 103(a) as unpatentable over Bluethman, Kopsaftis, Tom and Braunsdorf, and further in view of U.S. Patent No. 5,649,112 to Yeager et al., hereinafter "Yeager". Claims 48 and 49 depend from claim 38, and claims 71, 73 and 74 depend from claim 70. Applicant respectfully traverses the rejection.

As discussed above, claims 38 and 70 are patentable over the cited combination of Bluethman, Kopsaftis, Tom and Braunsdorf. Applicant does not believe that Yeager makes up for the deficiencies of Bluethman, Kopsaftis, Tom and Braunsdorf, as they apply to claims 38 and 70. Accordingly, Applicant submits that claims 39 and 70 are patentable over the cited combination of Bluethman, Kopsaftis, Tom, Braunsdorf and Yeager.

Claims 48 and 49 depend from claim 38, and claims 71, 73 and 74 depend from claim 70. For at least reasoning similar to that provided in support of the patentability of claims 38 and 70, claims 48, 49, 71, 73 and 74 are patentable over the cited combination of Bluethman, Kopsaftis, Tom, Braunsdorf and Yeager. Therefore, it is submitted that the rejection of claims 48, 49, 71, 73 and 74 as unpatentable over Bluethman, Kopsaftis, Tom and Braunsdorf in view of Yeager is overcome. Applicant respectfully requests that the rejection of claims 48, 49, 71, 73 and 74 be reconsidered and withdrawn.

Claims 51 and 75 are rejected under 35 U.S.C. § 103(a) as unpatentable over Bluethman, Kopsaftis, Tom and Braunsdorf, and further in view of U.S. Patent No. 4,868,866 to Williams, Jr., hereinafter "Williams". Claims 51 and 75 depend from claim 38. Applicant respectfully traverses the rejection.

As discussed above, claim 38 is patentable over the cited combination of Bluethman, Kopsaftis, Tom and Braunsdorf. Applicant does not believe that Williams makes up for the deficiencies of Bluethman, Kopsaftis, Tom and Braunsdorf, as they apply to claim 38. Accordingly, Applicant submits that claim 38 is patentable over the cited combination of Bluethman, Kopsaftis, Tom, Braunsdorf and Williams.

Claims 51 and 75 depend from claim 38. For at least reasoning similar to that provided in support of the patentability of claim 38, claims 51 and 75 are patentable over the cited combination of Bluethman, Kopsaftis, Tom, Braunsdorf and Williams. Therefore, it is submitted that the rejection of claims 51 and 75 as unpatentable over

Bluethman, Kopsaftis, Tom and Braunsdorf in view of Williams is overcome. Applicant respectfully requests that the rejection of claims 51 and 75 be reconsidered and withdrawn.

Claims 57, 59, 60, 64 and 65 are rejected under 35 U.S.C. § 103(a) as unpatentable over Bluethman, Kopsaftis, Tom and Braunsdorf, and further in view of the Background section of the specification, hereinafter "BOTI". Claim 57 is independent. Claims 59, 60, 64 and 65 depend from claim 57. Applicant respectfully traverses the rejection.

As discussed above, claim 38 is patentable over the cited combination of Bluethman, Kopsaftis, Tom and Braunsdorf. Applicant does not believe that BOTI makes up for the deficiencies of Bluethman, Kopsaftis, Tom and Braunsdorf, as they apply to claim 38. Accordingly, Applicant submits that claim 38 is patentable over the cited combination of Bluethman, Kopsaftis, Tom, Braunsdorf and BOTI.

Claim 57 includes recitals similar to those of claim 38. For at least reasoning similar to that provided in support of the patentability of claim 38, claim 57 is patentable over the cited combination of Bluethman, Kopsaftis, Tom, Braunsdorf and BOTI.

Claims 59, 60, 64 and 65 depend from claim 57. For at least reasoning similar to that provided in support of the patentability of claim 57, claims 59, 60, 64 and 65 are patentable over the cited combination of Bluethman, Kopsaftis, Tom, Braunsdorf and BOTI. Therefore, it is submitted that the rejection of claims 57-60, 64 and 65 as unpatentable over Bluethman, Kopsaftis, Tom and Braunsdorf in view of BOTI is overcome. Applicant respectfully requests that the rejection of claims 57, 59, 60, 64 and 65 be reconsidered and withdrawn.

Claims 61, 63 and 74 are rejected under 35 U.S.C. § 103(a) as unpatentable over Bluethman, Kopsaftis, Tom, Braunsdorf and BOTI, and further in view of Yeager. Claims 61 and 63 depend from claim 57. Applicant respectfully traverses the rejection.

As discussed above, claim 57 is patentable over the cited combination of Bluethman, Kopsaftis, Tom, Braunsdorf and BOTI. Applicant does not believe that Yeager makes up for the deficiencies of Bluethman, Kopsaftis, Tom, Braunsdorf and BOTI as they apply to claim 57. Accordingly, Applicant submits that claim 57 is patentable over the cited combination of Bluethman, Kopsaftis, Tom, Braunsdorf, BOTI and Yeager.

Claims 61 and 63 depend from claim 57. For at least reasoning similar to that provided in support of the patentability of claim 57, claims 61 and 63 are patentable over the cited combination of Bluethman, Kopsaftis, Tom, Braunsdorf, BOTI, and Yeager. Therefore, it is submitted that the rejection of claims 61 and 63 as unpatentable over Bluethman, Kopsaftis, Braunsdorf, Tom and Yeager in view of BOTI is overcome. Applicant respectfully requests that the rejection of claims 61 and 63 be reconsidered and withdrawn.

An indication of the allowability of all pending claims by issuance of a Notice of Allowability is earnestly solicited.

Respectfully submitted,

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